

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

**RED BARN MOTORS, INC.,
DONALD B. RICHARDSON, AND
BARBARA A. RICHARDSON,**

Plaintiffs,

v.

**NEXTGEAR CAPITAL, INC.,
as successor-in-interest to
DEALER SERVICES CORPORATION,
and LOUISIANA'S FIRST CHOICE
AUTO AUCTION, L.L.C.**

Defendants.

**CIVIL
ACTION NO. : 1:14-cv-01589-TWP-DKL**

RULE 41(a)(1)(A)(i) NOTICE OF DISMISSAL

Now into Court, through undersigned counsel, comes Plaintiff, Red Barn Motors, Inc., who, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), files this Notice of Dismissal of its claims against Defendant, Louisiana's First Choice Auto Auction, L.L.C., in the captioned matter and states as follows:

1.

Defendants, NextGear Capital, Inc., and Louisiana's First Choice Auto Auction, L.L.C., have filed neither an answer nor a motion for summary judgment.

2.

Plaintiffs, Red Barn Motors, Inc., dismisses all of its claims against Louisiana's First Choice Auto Auction, L.L.C., without prejudice.

3.

This dismissal does not extend or relate to any claims asserted by Plaintiff, Red Barn Motors, Inc., against Defendant, NextGear Capital, Inc.

Wherefore, Plaintiff, Red Barn Motors, Inc., pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), files this Notice of Dismissal voluntarily dismissing its claims in the captioned matter against Defendant, Louisiana's First Choice Auto Auction, L.L.C., without prejudice.

Respectfully submitted,

CASSIE FELDER & ASSOCIATES, L.L.C.

/s/ Joshua P. Melder

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CERTIFICATE OF SERVICE

I do hereby certify that I have on the 14th day of December, 2015, served a copy of the foregoing *Rule 41(a)(1)(A) Notice of Dismissal* on all counsel of record via electronic service by the court's CM/ECF system. Notice of this filing will be sent to all counsel of record by operation of the Court's electronic filing system.

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/s/ Joshua P. Melder

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